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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,687	10/22/2003	Bas Ording	001580-950	4912

21839 7590 11/13/2008

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EXAMINER	
AUGUSTINE, NICHOLAS	
ART UNIT	**PAPER NUMBER**
2179	

NOTIFICATION DATE	DELIVERY MODE
11/13/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/689,687	ORDING ET AL.	
	Examiner	Art Unit	
	NICHOLAS AUGUSTINE	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *57-60 and 76-87* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *57-60 and 76-87* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/21/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A. This action is in response to the following communications: Amendment filed: 7/21/2008. This action is made **Final**.

B. Claims 57-60 and 76-87 remain pending.

C. Claims rejected under Double Patenting Rejection are withdrawn due to amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 57-60 and 76-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeStefano (US 6,075,531), herein referred to as “DeStefano”, in view of Bronson (US Patent 5,305,435), herein referred to as “Bronson”.

As claim 57, DeStefano teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a normal view such that the windows can

obscure a user's view of objects on the desktop, of the user interface (col.17, lines 38-52). DeStefano does not clearly teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows. However, Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command (col. 7, lines 17-19);
selecting at least one of said desktop objects while the windows are removed (col. 9, lines 10 -20) returning the windows to their original positions in response to a second command from the user (col. 7, lines 56-66), while maintaining the selection of said desktop object-and placing the selected object in one of said windows (col. 7, lines 56-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging

the window onto the display and placing the window on the desktop, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 58, DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working

environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 59, DeStefano does not clearly teach returning the windows are initiated by dragging the selected desktop object to said border area.

However, Bronson teaches returning the windows are initiated by dragging the selected desktop object to said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by returning the windows is initiated by dragging the selected desktop object to said border area as taught by Bronson in order to give the user the ability to selectively clear the central screen area of non-active windows to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 60, DeStefano clearly teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a normal view such that the windows can obscure a user's view of objects on the desktop of the user interface (col.17, lines 1-10, 38-67 and col.18,lines 40-45DeStefano does not teach selecting an object in a window; temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user. However, Bronson teaches selecting an object in a window (col. 9, lines 10 - 20); temporarily removing the windows from their obscuring positions in response to first user command (col. 7, lines 17-19), while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed (col. 7, lines 56-59); and returning the windows to their original positions in response to a second command from the user (col. 7,lines 56-66). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for

displaying windows with an active display status, so the user is able to select a window, maintain control by dragging the selected window to the screen edge and placing the window in a virtual or non-visible screen area, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22 and col. 8, lines 39-44). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 76, DeStefano teaches the method of claim 60, wherein said second command comprises releasing the selected object onto the desktop or desktop object (col. 17, lines 18-24 and 45-52).

As for claim 77, DeStefano teaches the method of claim 60, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.17, lines 25-52).

As for claim 78, DeStefano teaches the method of claim 77, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; user is able to move the course anywhere on the desktop).

As for claim 79, DeStefano teaches the method of claim 77, wherein said first user command is invoked by dragging the selected object to the predetermined area with the cursor (col.17, lines 25-52).

As for claim 80, DeStefano teaches the method of claim 57, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.7, lines 6-15 and col.17, lines 25-52).

As for claim 81, DeStefano teaches the method of claim 80, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; wherein the user is able to move the course anywhere on the desktop).

As for claim 82, DeStefano teaches the method of claim 80, wherein said second command is invoked by dragging the selected object to the predetermined area with the cursor (col.7, lines 6-15 col.17, lines 25-52).

As for claim 83, DeStefano teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a first view such that the windows can obscure a user's view of objects on the desktop of the user interface (col.6, lines 55-64; figure 10); temporarily removing the windows from their obscuring

positions in a second view, in response to a first user command (col.7, lines 6-15); returning the windows to their original positions of said first view, in response to a second command from the user (col.7, lines 6-15; col.17,lines 25-52);

DeStefano does not clearly teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows.

However, Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command (col. 7, lines 17-19);

selecting at least one of said desktop objects while the windows are removed (col. 9, lines 10 -20) returning the windows to their original positions in response to a second command from the user (col. 7, lines 56-66), while maintaining the selection of said desktop object-and placing the selected object in one of said windows (col. 7, lines 56-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a

virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging the window onto the display and placing the window on the desktop, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 84, DeStefano teaches the method of claim 83 wherein the step of temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop, and moving the windows to positions within said border area. DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the

windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 85, DeStefano in view of Bronson teaches the method of claim 84 wherein the step of returning the windows is initiated by dragging the selected desktop object to said border area (wherein the user is able to move the course anywhere on the desktop; col.17, lines 25-52). DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows

comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 86, DeStefano teaches the method of claim 83, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.17, lines 25-52).

As for claim 87, DeStefano teaches the method of claim 86, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; wherein the user's interactive component can happen anywhere on the desktop).

(Note:) **It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).**

Response to Arguments

Applicant's arguments filed 07/21/2008 have been fully considered but they are not persuasive.

After careful review of the amended claims (given the broadest interpretation) and the remarks provided by the Applicant along with the cited reference(s) the Examiner does not agree with the Applicant for at least the reasons provided below:

A1. Applicant argues that DeStefano in view of Bronson does not teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response To a second command from the user while maintaining the selection of said desktop object-and placing the selected object in one of said windows.

R1. Examiner does not agree, Bronson shows a system that can temporarily remove window(s) from their current location (obscuring location) in response to a fist user command in column 6, lines 4-36; Bronson explains moving window 22 out of sight toward the left side (border) of display screen and leaving behind icons (38, 81-85) representing the window 22 and its contents. Any window presented on the desktop can take similar action as window 22 as explained. Next Bronson shows a selection of at least one of said desktop objects (graphical element presented on desktop, part of the graphical user interface) while windows such as 22 are removed (indicated with a tab (icons)). The user selects 84 either by dragging or using a “fast restore” command

(col.7,lines 56-66). Thus Bronson shows in response to selection returning the windows to their original positions in response to a second command from the user and further Bronson shows while maintaining the selection of said desktop object 84 and placing the selected object in one of said windows (figures 1-6; col.7,lines 23-55). Therefore as can be visually depicted in the transition of figures 1-6 and cited in the disclosure that Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response To a second command from the user while maintaining the selection of said desktop object-and placing the selected object in one of said windows. Simply stating the user is able to take a tab such as 84 and drag or use “fast restore” command (two different actions) and place it into the main window (root window formally called "desktop”) and the end result featuring the transition of a window being removed from the root window “desktop” along with its contents and then the user being able to selection a portion of existing window or the entire window and place a object into the root window “desktop”.

A2. Applicant argues that DeStefano can not be modified by Bronson.

R2. Examiner does not agree, Bronson and DeStefano solve very similar problems for Desktop management and one of ordinary skill in the art would not have been hard pressed to see that combinable applications of Bronson into DeStefano because Bronson suggest a method of managing multiple windows in a graphic user interface more easier for better interaction from the user. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging the window onto the display and placing the window on the desktop, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central
screen area (col. 2, lines 15-22).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Augustine/
Examiner
Art Unit 2179
November 6, 2008

/Ba Huynh/
Primary Examiner, Art Unit 2179